

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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PETROCHOICE HOLDINGS, INC.	:	
Plaintiff,	:	<u>CIVIL ACTION</u>
	:	
- against -	:	
	:	No. 19-6152-JMG
FRANCIS S. OROBONO, JR.,	:	
	:	
Defendant.	:	
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	X	

**JOINT STATUS REPORT**

PetroChoice Holdings, Inc. (“PetroChoice” or “Plaintiff”) and Francis S. Orobono, Jr. (“Orobono” or “Defendant”), by and through their undersigned attorneys, hereby submit this Joint Status Report and state as follows:

1. PetroChoice filed two motions on June 1, 2021 – a motion for sanctions for spoliation of evidence and a motion for summary judgment. The Court has not ruled on either of these motions.
2. The parties proceeded to mediation on June 2, 2021; the case did not settle.
3. This Honorable Court subsequently conducted a joint status conference with the parties on June 22, 2021, at which time it rescheduled the trial date in this matter from August 13, 2021 to February 28, 2022 due to PetroChoice’s counsel’s imminent maternity leave.
4. The Parties’ counsel have been in regular communication with the special discovery master appointed by the Court, Dennis Suplee, since mid-July.
5. Mr. Suplee has not yet resolved the remaining discovery issues between the Parties at their request, with the hope the parties could settle the dispute.

6. Plaintiff and an interested non-party have reached a tentative agreement that would serve as part of the settlement between Plaintiff and Defendant. PetroChoice relayed a settlement demand last week, which was declined by Defendant. Defendant relayed a counter-offer, which was declined by Plaintiff. At present, it appears the parties are at a stand-still with regard to settlement negotiations, but attempts will be made to continue the conversation.

Dated this 3rd day of November, 2021.

Respectfully Filed By,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Jon Jay Olafson

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*Attorneys for Plaintiff PetroChoice Holdings, Inc.*

**LAMB McERLANE PC**

*s/Mary-Ellen H. Allen*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 3rd day of November, 2021, the undersigned served the foregoing Joint Status Report upon counsel via ECF:

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/s/ John Jay Olafson  
*A duly signed original is on file at the  
Law Offices of LEWIS BRISBOIS*